

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JERRY CARTER GRAY, JR.,
Plaintiff,

v.

JOHN SAMANEIGO, et al.,
Defendants.

Case No. 2:22-cv-218-CLM-SGC

MEMORANDUM OPINION

On March 14, 2023, the court dismissed without prejudice certain defendants and claims for failure to state a claim upon which relief can be granted and referred the remaining claims to the magistrate judge for further proceedings. (Doc. 14). The United States Postal Service returned that order as undeliverable, and the envelope included a notation that Plaintiff Jerry Carter Gray, Jr., was not incarcerated. (Doc. 15). The magistrate judge ordered Gray to update his mailing address with the court and inform the court whether he wished to continue prosecuting this case. (Doc. 16). That order was also returned to the court, along with a letter stating Gray was not incarcerated in the Shelby County Jail. (Doc. 17). So the magistrate judge entered a report recommending the court dismiss this case for Gray's failure to prosecute. (Doc. 18). That report and recommendation was also returned to the court as undeliverable. (Doc. 19).

When Gray filed his complaint, he agreed to provide the Clerk's Office with any changes to his address and acknowledged that his failure to keep a current address on file with the Clerk's Office might result in the dismissal of his case. (Doc. 1 at 10). Gray has not maintained a current mailing address with the court, and three orders have now been returned as undeliverable. The court has no way to communicate with Gray, and the record reflects no attempt by Gray to continue prosecuting this case.

After considering the record and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation (doc. 18). Consistent with that recommendation, the court will **DISMISS** this case **WITHOUT PREJUDICE** because Gray has failed to prosecute his claims.

By separate order, the court will close this case.

Done on May 9, 2023.

A handwritten signature in cursive script, reading "Corey L. Maze", is written over a horizontal line.

COREY L. MAZE
UNITED STATES DISTRICT JUDGE